



RECEIPT

PATENT APPLICATION

Attorney Docket No.: A-67860-3/RMS/JJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MACK, et al.

Serial No.: 09/525,361

Filed: March 15, 2000

For: NOVEL METHODS OF
DIAGNOSING AND TREATING
BREAST CANCER,
COMPOSITIONS, AND METHODS
OF SCREENING FOR BREAST
CANCER MODULATORS

Examiner:

Group Art Unit:

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Office of Initial Patent Examination's, Customer Service Center, Assistant Secretary and Commissioner of Patent and Trademarks, Washington, D.C. 20231 on 12/01/00

Signature:

Mary McFarland
Mary McFarland

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Office of Initial Patent Examinations
Customer Service Center
Assistant Secretary and
Commissioner of Patent and Trademarks
Washington, D.C. 20231

Sir:

Appended hereto is a copy of an Official Filing Receipt for the above-identified patent application with the corrections indicated in red ink. Also enclosed is a copy of page 2 of the Declaration for Patent Application which disclosed the correct "Continuing Data as Claimed by Applicant."

In the "Continuing Data as Claimed by Applicant" portion of the receipt, after "AND A CIP OF 09/453,137 12/02/1999," please insert – AND A CIP OF 09/520,478 03/08/2000 – .

The "Continuing Data as Claimed by Applicant" portion of the receipt will then correctly read as follows:

THIS APPLICATION IS A CIP OF 09/268,865 03/15/1999
AND A CIP OF 09/439,878 11/12/1999
AND A CIP OF 09/440,370 11/12/1999
AND A CIP OF 09/440,493 11/15/1999
AND A CIP OF 09/440,676 11/16/1999
AND A CIP OF 09/440,677 11/16/1999
AND A CIP OF 09/450,810 11/29/1999
AND A CIP OF 09/453,137 12/02/1999
AND A CIP OF 09/520,478 03/08/2000

Because this error was caused by the Patent Office, it is believed that no fee is necessary. However, if this belief is in error, the commissioner is authorized to charge any fee which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67860-3/RMS/JJD).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Date: 11/30/00


Robin M. Silva [Reg No. 38,304]

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
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1035808(SF)



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FEB 15 2001

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/525,361	03/15/2000	1635	1187	A-67860-3/RMS/DAV	188	37	19

FILING RECEIPT

Flehr Hohbach Test Albritton & Herbert LLP
 Suite 3400 Four Embarcadero Center
 San Francisco, CA 94111-4187



OC000000005361180

Date Mailed: 08/29/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David Mack, Menlo Park, CA ; ✓
 Kurt C. Gish, San Francisco, CA ; ✓

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Continuing Data as Claimed by Applicant

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 AND A CIP OF 09/453,137 12/02/1999
 And A CIP OF 09/520,478 03/08/2000

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Foreign Applications

If Required, Foreign Filing License Granted 05/12/2000

** SMALL ENTITY **

Title

Novel methods of diagnosing and treating breast cancer, compositions, and methods of screening for breast cancer modulators

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed and, insofar as the subject matter of each of the claims of this application is not disclosed in the United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:



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<u>09/520,478</u> (Application Serial No.)	<u>March 8, 2000</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/453,137</u> (Application Serial No.)	<u>December 2, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/450,810</u> (Application Serial No.)	<u>November 29, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/440,677</u> (Application Serial No.)	<u>November 16, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/440,676</u> (Application Serial No.)	<u>November 16, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/440,493</u> (Application Serial No.)	<u>November 15, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/439,878</u> (Application Serial No.)	<u>November 12, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/440,370</u> (Application Serial No.)	<u>November 12, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/268,865</u> (Application Serial No.)	<u>March 15, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)

Direct all telephone calls to David J. Brezner, Esq. at (415) 781-1989.

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ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111

File No. A-67860-3/DJB/RMS/DAV

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Bib Data Sheet

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FEB 18 2001
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INFORMATION NO. 9370

SERIAL NUMBER 09/525,361	FILING DATE 03/15/2000 RULE	CLASS 514	GROUP ART UNIT 1635	ATTORNEY DOCKET NO. A-67860-3/RMS/DAV
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APPLICANTS

David Mack, Menlo Park, CA;
Kurt C. Gish, San Francisco, CA;

**** CONTINUING DATA *******

THIS APPLICATION IS A CIP OF 09/268,865 03/15/1999
AND A CIP OF 09/439,878 11/12/1999
AND A CIP OF 09/440,370 11/12/1999
AND A CIP OF 09/440,493 11/15/1999
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AND A CIP OF 09/440,677 11/16/1999
AND A CIP OF 09/450,810 11/29/1999
AND A CIP OF 09/453,137 12/02/1999
WHICH IS A CIP OF 09/520,478 03/08/2000

**** FOREIGN APPLICATIONS *******

IF REQUIRED, FOREIGN FILING LICENSE
GRANTED ** 05/12/2000

**** SMALL ENTITY ****

Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no	STATE OR COUNTRY CA	SHEETS DRAWING 188	TOTAL CLAIMS 37	INDEPENDENT CLAIMS 19
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged Examiner's Signature _____ Initials _____				

ADDRESS

Flehr Hohbach Test Albritton & Herbert LLP
Suite 3400 Four Embarcadero Center
San Francisco ,CA 94111-4187

TITLE

Novel methods of diagnosing and treating breast cancer, compositions, and methods of screening for breast cancer modulators

FILING FEE RECEIVED 1187	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees (Filing)
		<input type="checkbox"/> 1.17 Fees (Processing Ext. of time)
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		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit

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Bib Data Sheet

CONFIRMATION NO. 9370

SERIAL NUMBER 09/525,361	FILING DATE 03/15/2000 RULE	CLASS 435	GROUP ART UNIT 1655	ATTORNEY DOCKET NO. A-67860-3/RMS/DAV
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APPLICANTS

David Mack, Menlo Park, CA;
Kurt C. Gish, San Francisco, CA;

** CONTINUING DATA *****

THIS APPLICATION IS A CIP OF 09/268,865 03/15/1999 *DRJ*
AND A CIP OF 09/439,878 11/12/1999 ABN
AND A CIP OF 09/440,370 11/12/1999 ABN
AND A CIP OF 09/440,493 11/15/1999 ABN
AND A CIP OF 09/440,676 11/16/1999
AND A CIP OF 09/440,677 11/16/1999
AND A CIP OF 09/450,810 11/29/1999
AND A CIP OF 09/453,137 12/02/1999
AND A CIP OF 09/520,478 03/08/2000

** FOREIGN APPLICATIONS *****

none/DRJ

IF REQUIRED, FOREIGN FILING LICENSE
GRANTED ** 05/12/2000

** SMALL ENTITY **

Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	STATE OR COUNTRY CA	SHEETS DRAWING 188	TOTAL CLAIMS 37	INDEPENDENT CLAIMS 19
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged <i>DRJ</i> Examiner's Signature Initials				

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San Francisco, CA 94111-4187

TITLE

Novel methods of diagnosing and treating breast cancer, compositions, and methods of screening for breast cancer modulators

FILING FEE RECEIVED
1187

FEES: Authority has been given in Paper
No. _____ to charge/credit DEPOSIT ACCOUNT
No. _____ for following:

<input type="checkbox"/> All Fees
<input type="checkbox"/> 1.16 Fees (Filing)
<input type="checkbox"/> 1.17 Fees (Processing Ext. of time)
<input type="checkbox"/> 1.18 Fees (Issue)
<input type="checkbox"/> Other _____
<input type="checkbox"/> Credit